

Applicant : Daniel H. Craft et al.  
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Attorney's Docket No.: 07844-189002 / P168C1

### REMARKS

Claims 26-44 are pending, with claims 26 and 34 being independent. Reconsideration and allowance of the above-referenced application are respectfully requested in light of the following remarks.

Claims 43 and 44 stand rejected for allegedly reciting non-statutory inventions under 35 U.S.C. §101.

Claims 26-33, 34-39, and 40-42 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 16-23, 10-14 and 6-8 of U.S. Patent No. 6,704,739 (the '739 patent).

Claims 26-31 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,327,593 ("Goiffon").

Claims 34, 35 and 38-44 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,878,406 ("Noyes").

Claims 32-33 and 36-37 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Goiffon in view of Noyes.

### **Rejections under Section 101**

Claims 43 and 44 stand rejected for allegedly reciting non-statutory inventions under 35 U.S.C. §101. The preamble of claims 43 and 44 have been amended to overcome this rejection. Accordingly, claims 43 and 44 are in condition for allowance.

### **Double Patenting Rejections**

Claims 26-33, 34-39, and 40-42 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 16-23, 10-14 and 6-8 of the '739 patent. To expedite prosecution, and without conceding the obviousness-type double patenting rejection, a terminal disclaimer is being filed herewith in compliance with 37 CFR §1.321 to overcome the non-statutory double patenting rejection.

Accordingly, claims 26-33, 34-39, and 40-42 are in condition for allowance.

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### Section 102(e) Rejections

Claims 26-31 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Goiffon.

Claim 26 recites in part, a computer program product for linking an interface to a searchable tag database of concept data elements, asset references, and associations. The associations represent different types of relations between one of the data assets and one of the concepts. Location information for the data asset to be saved and a selection identifying a concept and a relation between the concept and the data asset to be saved are received from a user.

Goiffon discloses a system for performing a natural language search. The system includes a repository for storing a network of natural language concepts. The repository also stores associations between concepts and other data items that are catalogued according to the natural language concepts (Abstract). In Goiffon, an association is simply a "link" between a concept and a data item (Col. 8, lines 29-31). Goiffon discloses just one type of link.

Goiffon fails to anticipate claim 26 for at least two reasons.

First, Goiffon fails to disclose different types of relations between one of the data assets and one of the concepts. A relation provides additional detail about the association between a data asset and a concept (Applicant's specification, p. 9). For example, as shown in Applicant's FIG.2, asset reference 201 points to a document that is about a project called "Jasper" and that is authored by "Jones." An "about" relation exists between asset reference 201 and the "Jasper" concept 224. An "author" relation exists between asset reference 201 and the "Jones" concept 222. Thus, different types of relations can exist in the tag database. By contrast, all the links in Goiffon are of the same type.

Second, Goiffon fails to disclose receiving location information for the data asset to be saved and a selection identifying a concept and a relation between the concept and the data asset to be saved are received from a user. Instead, Goiffon merely receives keywords, identifies

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concepts based on the keywords, and then returns all the asset elements that are linked to the identified concepts (FIG. 5).

For at least these reasons, claim 26, and its dependent claims 27-31, are in condition for allowance.

Claims 34, 35 and 38-44 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Noyes.

Claim 34 recites, a computer program product for establishing a database of concepts, asset references, and associations, the asset references each comprising a storage location identifier for a corresponding one of a plurality of data assets, each association defining a type of relationship, from a plurality of types of relationships, between a data asset and a concept.

As a preliminary matter, the knowledge representation database in Noyes does not store data assets. In contrast, the database in Noyes stores concepts (col. 12, lines 5-12, emphasis added):

Each record in the knowledge representation database corresponds to a concept. Concepts are named points in the network of relationships comprising the Knowledge Representation.

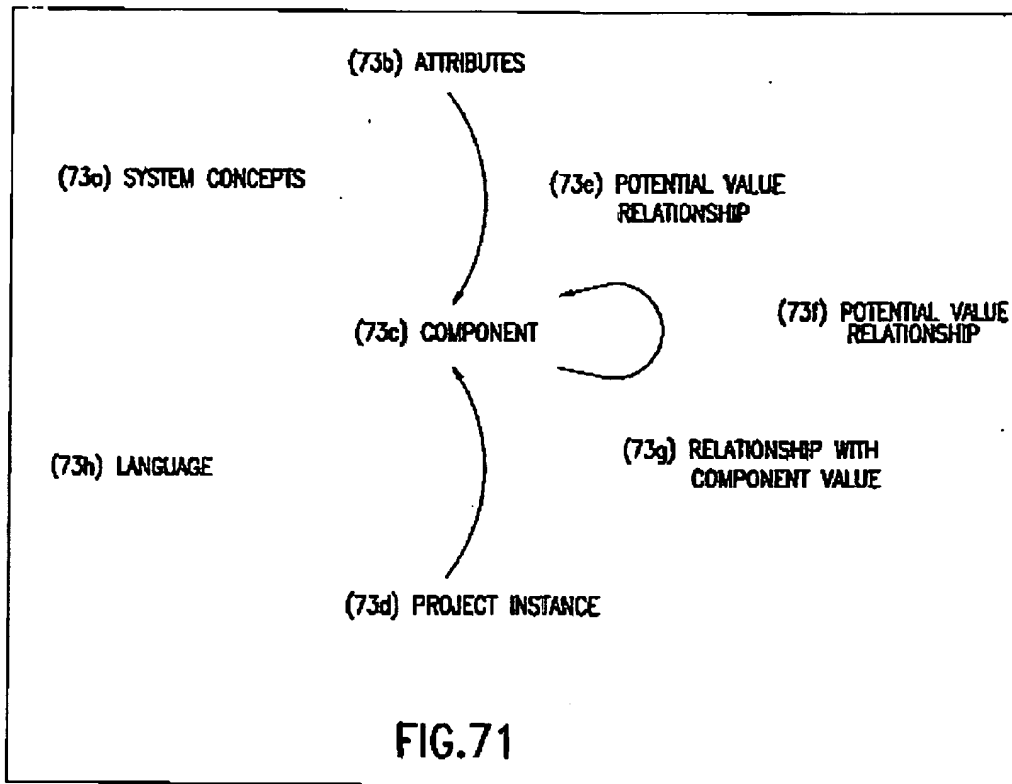
Noyes also discloses that relationships in the database are between concepts, not between concepts and data assets or references to data assets (col. 7, lines 43-50, emphasis added):

The representation of knowledge is based on the insight that knowledge is a network of concepts and relationships between concepts (i.e. the meaning of a concept is defined by its relationship to other concepts). Concepts are embodied as individual database records. Relationships between concepts are embodied as substructures within the records which store database reference numbers of other records. "Knowledge" is thus embodied in the resulting network of records and cross references between records.

Finally, the relied upon sections of Noyes disclose that relationships exist between components (73c), attributes (73b) and project instances (73d), but not between any of these entities and data assets. See Fig. 71 (reproduced below) and col. 23, lines 1-11.

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Accordingly, claim 34, and its dependent claims 35 and 38-42, are in condition for allowance.

Claim 43 recites in part, a database comprising one or more concepts that include links to one or more data assets that have specific relationships to an associated concept, where the relationships are selected from a plurality of possible relationships; and where a concept describes the data asset the concept is linked to.

The examiner asserted that "the [data assets] mentioned in the claim are equivalent to the 'view documents' of the reference." See Office Action mailed 4/19/06, p. 13, #25. Assuming this is true for the sake of argument, concepts in Noyes do not describe view documents as required by claim 43. In contrast, view documents are merely a form of graphical user interface for traversing concepts in a knowledge representation (col. 8, lines 33-44). For at least this reason, claim 43, and its dependent claim 44, are in condition for allowance.

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### Section 103(a) Rejections

Claims 32-33 and 36-37 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Goiffon in view of Noyes.

Claim 32 depends from claim 26. As addressed above, claim 26 is not anticipated by Goiffon. The relied upon portions of Noyes fail to remedy the deficiency in Goiffon. Accordingly, claim 32, and dependent claim 33, are in condition for allowance.

Claim 36 depends from claim 34. As addressed above, claim 34 is not anticipated by Noyes. The relied upon portions of Goiffon fail to remedy the deficiency in Noyes. Accordingly, claim 36, and dependent claim 37, are in condition for allowance.

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By responding in the foregoing remarks only to particular positions taken by the examiner, the Applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the Applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

The Applicant respectfully requests that all pending claims be allowed. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

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